

SO ORDERED.



**TIFFANY & BOSCO**  
P.A.

Dated: March 02, 2010

**2525 EAST CAMELBACK ROAD  
SUITE 300**

**PHOENIX, ARIZONA 85016**

**TELEPHONE: (602) 255-6000**

**FACSIMILE: (602) 255-0192**

  
\_\_\_\_\_  
CHARLES G. CASE, II  
U.S. Bankruptcy Judge

Mark S. Bosco  
State Bar No. 010167  
Leonard J. McDonald  
State Bar No. 014228  
Attorneys for Movant

10-02836

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA**

IN RE:

Benjamin Macabugto  
Debtor.

\_\_\_\_\_  
Wells Fargo Bank, N.A.  
Movant,  
vs.

Benjamin Macabugto, Debtor, Diane M. Mann,  
Trustee.

Respondents.

No. 2:10-bk-02330-CGC

Chapter 7

ORDER

(Related to Docket #13)

Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any, and no objection having been received, and good cause appearing therefore,

IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed

1 by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real  
2 property which is the subject of a Deed of Trust dated April 22, 2004 and recorded in the office of the  
3 Maricopa County Recorder wherein Wells Fargo Bank, N.A. is the current beneficiary and Benjamin  
4 Macabugto has an interest in, further described as:

5 The South half of the South half of Lot 19, VALENCIA HEIGHTS, according to Book 21 of  
6 Maps, Page 31, records of Maricopa County, Arizona;  
7 EXCEPT the East 30 feet; and  
8 EXCEPT the West 473.40 feet thereof.

9 IT IS FURTHER ORDERED that Movant may contact the Debtor(s) by telephone or written  
10 correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance  
11 Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement  
12 with Debtors. However, Movant may not enforce, or threaten to enforce, any personal liability against  
13 Debtors if Debtors' personal liability is discharged in this bankruptcy case.

14 IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter  
15 to which the Debtor may convert.

16  
17 DATED this \_\_\_\_ day of \_\_\_\_\_, 2010.

18  
19 \_\_\_\_\_  
20 JUDGE OF THE U.S. BANKRUPTCY COURT  
21  
22  
23  
24  
25  
26